

Introduced by Senator Sher

February 13, 2003

An act to amend Section 2761 of the Public Resources Code, relating to surface mining.

LEGISLATIVE COUNSEL'S DIGEST

SB 218, as introduced, Sher. Surface mining and reclamation.

Existing law, the Surface Mining and Reclamation Act of 1975, governs surface mining operations and reclamation of mined lands. Under the act, the Office of Planning and Research is required to identify portions of areas within the state that are urbanized or are subject to urban expansion or other irreversible land uses that would preclude mineral extraction.

This bill would delete that provision and make related changes.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2761 of the Public Resources Code is
2 amended to read:
3 2761. (a) ~~On or before January 1, 1977, and, as a minimum,~~
4 ~~after the completion of each decennial census, the Office of~~
5 ~~Planning and Research shall identify portions of the following~~
6 ~~areas within the state which are urbanized or are subject to urban~~
7 ~~expansion or other irreversible land uses which would preclude~~
8 ~~mineral extraction:~~
9 ~~(1) Standard metropolitan statistical areas and such other areas~~
10 ~~for which information is readily available.~~



~~(2) Other areas as may be requested by the board.~~

~~(b) In accordance with a time schedule, and based upon guidelines adopted by the board. Upon the request of an operator or other interested person and payment by the requesting person of the estimated cost of processing the request, the State Geologist shall classify, on the basis solely of geologic factors, and without regard to existing land use and land ownership, the areas identified by the Office of Planning and Research, any an area for which classification has been requested by a petition which that has been accepted by the board, or any other areas as may be specified by the board, as one of the following:~~

~~(1) Areas An area containing little or no mineral deposits.~~

~~(2) Areas An area containing significant mineral deposits.~~

~~(3) Areas An area containing mineral deposits, the significance of which requires further evaluation.~~

~~The State Geologist shall require the petitioner to pay the reasonable costs of classifying an area for which classification has been requested by the petitioner.~~

~~(c)~~

~~(b) The State Geologist shall transmit the information to the board for incorporation into the state policy and for transmittal to lead agencies.~~